



1111 20th Street, N.W.  
Suite 450  
Washington, D.C. 20036  
(202) 653-5175

ORIGINAL

COPYRIGHT ROYALTY TRIBUNAL

[Docket No. CRT 84-1-83CD]

1983 Cable Royalty Distribution Proceeding

AGENCY: Copyright Royalty Tribunal

ACTION: Notice

FOR FURTHER INFORMATION CONTACT: Edward W. Ray, Chairman,  
Copyright Royalty Tribunal, 1111 20th Street, N.W., Suite 450,  
Washington, D.C. 20036, (202) 653-5175.

SUPPLEMENTARY INFORMATION: 17 U.S.C. 111(d)(4) authorizes the Copyright Royalty Tribunal to distribute royalty fees paid by cable systems to certain copyright owners who have filed claims with the Tribunal. The Tribunal declared the existence of a controversy as to the distribution of the 1983 cable royalty fees effective April 15, 1985. In accordance with past procedure, the Tribunal resolved that the distribution proceeding would be conducted in two phases. Phase I would determine the allocation of cable royalties to specific groups of claimants. Phase II would allocate cable royalties to individual claimants within each group.

In order to permit the Tribunal to proceed to Phase II of this proceeding, the Tribunal is publishing this summary statement of its Phase I determinations. In accordance with 17 U.S.C. 803(b), a full and complete statement of the Tribunal's findings of facts and conclusions of law will be included in the Tribunal's final determination. This notice does not constitute a "final determination" pursuant to 17 U.S.C. 803(b) of a "final decision" under 17 U.S.C. 804(e) or 810.

The Tribunal has determined that after subtracting the award of \$144,497.85 to National Public Radio (NPR)<sup>1</sup> from the 1983 cable royalty fund, the remainder of the fund shall be divided into three royalty funds: (1) the cable royalty fees derived from payments by cable systems based upon the statutory rates as adjusted for inflation by the Tribunal (basic); (2) the cable royalty fees derived from payments by cable systems based upon the 3.75% rate adopted by the Tribunal in 1982 (3.75%); and (3) the cable royalty fees derived from payments by the cable systems based upon the syndicated exclusivity surcharge (syndex).

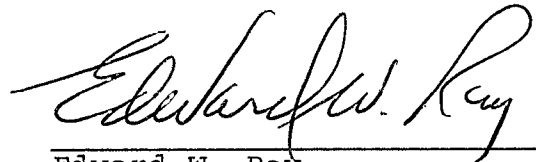
The Tribunal, in its final determination, will provide for the following allocations:

<u>Category</u>	<u>Basic</u>	<u>3.75%</u>	<u>Syndex</u>
Program Suppliers	67.1000	72.0000	95.5000
Joint Sports	16.3500	17.5000	0
Public Broadcasting Service	5.2000	0	0
Commercial Television	5.0000	5.0000	0
Music	4.5000	4.5000	4.5000
Devotional Claimants	1.1000	0.7500	0
Canadian Claimants	0.7500	0.2500	0
Commercial Radio	0	0	0

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<sup>1</sup>The award to NPR was based upon a settlement entered into by all the parties to this proceeding agreeing to 0.18% of the entire 1983 fund. At the time NPR moved for full distribution of its award, it waived any interest in future growth in the fund. Consequently, because the fund continues to grow, the Tribunal finds that the better bookkeeping procedure is to subtract the actual amount NPR received on June 27, 1985 and September 30, 1985 from the total fund, and to allocate the remainder. The award to NPR does not constitute precedent for entitlement to either the basic, 3.75%, or syndex funds.

The award to the Music category includes television and radio. The award to Commercial Television includes all copyrightable interests.

The Tribunal directs that all parties which have filed timely notices of appearance in Phase II shall file their Phase II written direct case on February 18, 1986 to include the claims of the Phase II participants to the basic, the 3.75% and the syndex funds.

  
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Edward W. Ray  
Chairman

Dated: January 30, 1986

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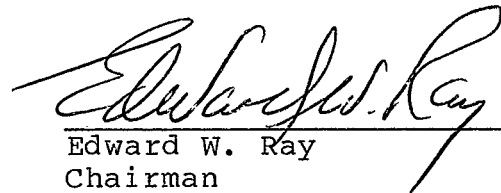
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<del>Compilation</del>	<del>0</del>	<del>0</del>	<del>0</del>

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Chairman

Dated: January 30, 1986



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[FR Doc. 86-2432 Filed 2-3-86; 8:45 am]

BILLING CODE 1410-02-21

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